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| UNITED STATES OF AMERICA | * | CR. NO. 97-284(JAF) |
| | * | |
| Plaintiff | * | |
| | * | |
| v | * | |
| | * | |
| OMAR GENAO | * | |
| | * | |
| Defendants | * | |

SECOND MOTION REQUESTING PRE-SENTENCE REPORT BE REVISED

TO THE HONORABLE COURT:

COMES NOW, defendant **Omar Genao** through his undersigned counsel and very respectfully states and prays:

1. On December 10, 2004 defendant requested that the pre-sentence report be revised for the upcoming re-sentencing hearing. The Court has not acted on this request.
2. Once more it is requested that the Court order the revision of the presentence report and that it be prepared in accordance with the dictates of the decision of the Supreme Court in *U.S. v. Booker*, 04-104 and *U.S. v. Fan Fan*, 04-105 decided on January 12, 2005.

RESPECTFULLY SUBMITTED.

I HEREBY CERTIFY that on this date the present document has been filed electronically and is available for viewing and downloading from the Court's CM/ECF system by U.S. Attorney's Office.

In San Juan, Puerto Rico, this 18th day of January, 2005.

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